

# DALE FARM HOUSING ASSOCIATION

secretary  
Grattan Puxon  
1 John Harper Street  
Colchester CO1 1RP  
[Dale.farm@btinternet.com](mailto:Dale.farm@btinternet.com)

Rt.Hon.Mr Eric Pickles  
Minister of State for Communities  
& Local Government  
House of Commons  
London SW1A OAA

## DALE FARM EVICTION BASILDON

Dear Mr Pickles,

Forced eviction is always an ugly action but when it's being taken against ninety families of one community and those families belong to a ethnic minority, then there must be cause for concern, alarm and shame.

You will be aware of the letter from Mr Anwar Kemal, chair of the Commission on the Elimination of Racial Discrimination (dated 12 March 2010), a source that immediately emphasises the racial prejudices underlying this matter. As former co-chairman of the Joint Committee Against Racism you may have s special interest in Britain's reputation in that respect.

Mr Kemal has asked the UK authorities to suspend a direct action eviction being undertaken by Basildon District Council against the Gypsy and Traveller community at Dale Farm, Crays Hill, Essex. He suggests that a suitable alternate location ought be provided. In addition, he has drawn attention to Constant & Co bailiff company, agents of the local council, and reports of notoriously rough evictions which have drawn criticism from the High Court due to racist conduct and needless destruction of private property.

Should the eviction nevertheless go ahead, the UK has been recommended to see that it is carried out in a humane manner and in accordance with international human rights law; and to ensure that a designated alternate site is allocated to those whose homes are bulldozed. A response is requested by the end of July.

Although you are fully informed through your Party colleague Cllr Mr Tony Ball, I am writing to emphasise to you that far from suspending the evictions of Gypsies and Travellers, Basildon is persisting with a long-term plan to drive all so-called *illegal* Gypsies from the district.

The BDC has already spent £1m on this policy, condemned by many as ethnic-cleansing, and is poised to pay out another £3m. The cost in human misery, disruption in communities and termination of adequate education and health care, is incalculable. The destruction of Dale Farm will lead to the immediate closure of the local Crays Hill Primary School and will be a severe blow to the Catholic parish of Wickford. To be turned out on the road with nowhere to go must come as a death-sentence for several of our most elderly and sick.

In an attempt to prevent the worst excesses of this policy, the DFHA held a meeting with Assistant Chief Constable Derek Benson on 25 June. Dale Farm mothers expressed their fear that children could be hurt, even killed. This concern echoes a warning by Wickford Primary Care Trust that trauma and physical injury will almost inevitably follow should the massive week-long eviction at Dale Farm go ahead. The recent evictions at Hovefields Drive and the method of carrying them out only serve to underline these concerns, which I trust you share as Minister for Communities.

We asked simply that police officers attending future operations make sure bailiffs keep within the law, especially as regards safety law. Mr Benson assured us his officers would be fair and impartial in their law enforcement role. Force solicitor Mr Adam Hunt and Mr Bob Watt, of Essex University Human Rights Law Clinic were present.

However, on the morning of 29 June, Constant bailiffs accompanied by Essex police officers, arrived at Hovefields Drive, Wickford, to repeat the same careless brutalities. It was about 7.30 am. Bailiffs began knocking on caravans and mobile-homes giving occupants one hour to pack up and leave. I was alerted to the situation around 8 am and spoke on the phone with bailiff Roger Nash who claimed the company was only clearing six unoccupied plots. Residents Mrs Sylvia Taylor and Mrs Kathleen Rooney had different information.

As in previous operations against Gypsies, the company ignored safety law by failing to erect perimeter fencing around the demolition site, allowing children and adults to approach close to heavy diggers and even mount a contractor's lorry. Photographs were taken of children near the diggers and in one instance inside a building shortly before it was demolished. An extensive complaint has been lodged with the Health & Safety Executive, listing these and other breaches of safety law.

Only through the intervention of a solicitor, the Basildon council agreed to back away from destroying two occupied properties, Merryfields and Five Acre Farm. Other plots, along with moveable buildings, were broken up by diggers, the justification being that they had been developed in the greenbelt without planning consent.

On 7 July the BDC obtained an injunction in the High Court ordering named and unnamed person to leave their homes or face possible imprisonment for contempt of court. Among those so threatened is mother of five Mrs Mary Theresa McCarthy, together with members of her extended Romany-Irish Traveller family.

We do not dispute the breaches of planning law highlighted by BDC but like Mr Kemal and the UN Committee seek fulfilment of the right of people so removed to be adequately re-accommodated. What we do dispute however is the method of that removal, involving as it has disregard of international law and conventions, and serious breaches of domestic and EU safety law.

- No safety fencing nor warning notices were erected on the demolition sites before commencement of work by the three diggers employed by Constant. Photographs show children in close proximity to moving machines.
- No attempt, despite requests, was made either by Constant bailiffs nor police officers to keep people, including youngsters, away from the clear danger of the working diggers.

- A health hazard was created through the breaking up of cess-tanks on the properties but again children were not fenced off from this danger, nor kept away by bailiffs and policemen.
- High earth banks have been bulldozed into place around the plots preventing rightful access by the owners to their land.

In short, matters of safety law, as well as human rights, raised on 29 June appear to have been totally ignored, despite the assurances given and appeals made to bailiffs and officers on the spot.

Our concern now is that the disregard for human rights and safety law will be repeated, but on a far greater scale, should Basildon District Council proceed as it has stated it will with the clearance of families and their properties at Dale Farm, the largest Travellers' community in Britain. The bulldozing of Dale Farm, a village in all but name, can only be compared with the similar and widely condemned clearances of Romani settlements in Italy, France, Romania and elsewhere in Europe.

Here the land is entirely owned by Travellers who, on the advice of the UK Government, have invested their savings to settle themselves and send their children to school. This destruction, as Mr Kemal points out, would be a violation of their rights under article 5 (e) (iii) of the Convention on the Elimination of all Forms of Racial Discrimination.

The pending action is the more to be regretted as it follows upon the swift cancellation with your agreement as Minister of State for Communities of the requirement placed on local authorities to designate land for caravan sites, in accordance with a careful needs assessment; together with the withdrawal of £30m in funding made available for such sites. In the case of Basildon, following a number of annual counts, there was until very recently an obligation to oversee the creation of 64 pitches by 2011 and a further 52 by 2011.

Far from a fair policy towards the less well-off, your new Coalition Government is in this instance pursuing the destruction of a community already the most marginalized in the UK.

Withdrawal of a long considered and carefully formulated duty has left Gypsy and Traveller families in Basildon, as elsewhere, exposed to a pitiless uprooting motivated we suspect more by racial bias than for conservation of a few acres of greenbelt, previously occupied by a licensed scrap-yard.

In this situation, we are appealing to you to urge your colleagues in Government to heed the appeal of Mr Kemal. His wish, strongly reiterated by the Assistant Chief Constable of Essex, is that meaningful talks be resumed between Dale Farm representatives and Basildon with a view to finding a way forward which will avoid leaving more families homeless and at the mercy of vigilantes, as has happened in other parts of the country.

Sincerely,  
Grattan Puxon  
Secretary DFHA